



PTO/SB/26 (09-04)

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
MJ87NPUS

In re Application of: Kia Silverbrook

Application No.: 10/510098

Filed: 21 August 2002

For: Ink Jet Nozzle Assembly Including Displaceable Ink Pusher

The owner*, Silverbrook Research Pty Ltd, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,652,074 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney or agent of record. Reg. No. _____

Signature

September 13, 2006
DateKia Silverbrook
Typed or printed name+61-2-9818-6633
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included. US\$130.00

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND THESE OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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MJ87NPUS

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Kia SilverbrookApplication No./Patent No.: 10/510098 Filed/Issue Date: 21 August 2002Entitled: Ink Jet Nozzle Assembly Including Displaceable Ink PusherSilverbrook Research Pty Ltda Private Proprietary Limited Company

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

[Signature]September 13, 2006

Signature

Date

Kia Silverbrook+61-2-9818-6633

Printed or Typed Name

Telephone Number

Managing Director

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No. MJ87US

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Second Party

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Docket Number: MJ87US

FORM PTO-1619B
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U.S. Department of Commerce
Patent and Trademark Office
PATENT**Correspondent Name and Address**

Country,

Area Code and Telephone Number 61-2-9818-6633

Name Kia Silverbrook

Address (line 1) Silverbrook Research Pty Ltd

Address (line 2) 393 Darling Street

Address (line 3) Balmain, NSW 2041

Address (line 4) Australia

PagesEnter the total number of pages of the attached conveyance document
including any attachments.

4

Application Number(s) or Patent Number(s)☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

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Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was
signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)Enter PCT application number
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has not been assigned.PCT PCT PCT
PCT PCT PCT**Number of Properties**

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40

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To the best of my knowledge and belief, the foregoing information is true and correct and any
attached copy is a true copy of the original document. Charges to deposit account are authorized, as
indicated herein.

Kia Silverbrook

Name of Person Signing

Signature

August 31, 2004

Date

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PTO/SB/15 (8-96)

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ASSIGNMENT OF APPLICATION

Docket Number (Optional)

MJ87US

Whereas, I, KIA SILVERBROOK of 393 Darling Street
Balmain, NSW 2041, Australia, hereafter
 referred to as applicant, have invented certain new and useful improvements in _____
INK JET NOZZLE ASSEMBLY INCLUDING DISPLACEABLE INK PUSHER

- ☐ for which an application for a United States Patent was filed on _____
 Application Number _____
- ☒ for which an application for a United States Patent was executed on August 31, 2004, and

Whereas, SILVERBROOK RESEARCH PTY LTD of Balmain, New South Wales, Australia herein referred to
 "assignee" whose post office address is 393 Darling Street, Balmain, NSW 2041, Australia is de-
 sirous of acquiring the entire right, title and interest in the same;

Now, therefore, in consideration of the sum of one dollars (\$ 1.00), the receipt whereof is ac-
 knowledged, and other good and valuable consideration, I, the applicant, by these presents do sell, assign
 and transfer unto said assignee the full and exclusive right to the said invention in the United States/and the
 entire right, title and interest in and to any and all Patents which may be granted therefor in the United States/
 I hereby authorize and request the Commissioner of Patents and Trademarks to issue said United States
 Patent to said assignee, of the entire right, title, and interest in and to the same, for his sole use and behoof;
 and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may
 be granted, as fully and entirely as the same would have been held by me had this assignment and sale not
 been made.

Executed this 31st day of August, 19 2004,
 at Balmain, NSW, Australia

(Signature)

State of _____) SS:
 County of _____)
 Before me personally appeared said _____
 and acknowledged the foregoing instrument to be his free act and deed this _____
 day of _____, 19____.

(Notary Public)

Seal

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